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FROM: John P. White, Esq./AJD

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 4

DATE: October 3, 2005 TIME:

SERIAL NO.: 09/891,062, filed June 25, 2001 (Our Docket 48965-B/JPW/AJD)

Re: Communication Confirming That Applicants Need Not Respond To August 8, 2005 Office Action in connection with Virginia M. Litwin et al., COMPOUNDS CAPABLE OF INHIBITING HIV-1 INFECTION, U.S. Serial No. 08/891,062, filed June 25, 2001, including a signed Facsimile Certificate of Mailing dated October 3, 2005.

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Docket No. 48965-B/JPW/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Virginia M. Litwin et al.

Serial No.: 08/891,062

Examiner: Jeffrey S. Parkin

Filed: June 25, 2001

Group Art Unit: 1648

For: COMPOUNDS CAPABLE OF INHIBITING HIV-1 INFECTION

1185 Avenue of the Americas  
New York, New York 10036  
October 3, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

COMMUNICATION CONFIRMING THAT  
APPLICANTS NEED NOT RESPOND TO AUGUST 8, 2005 OFFICE ACTION

Further to a September 26, 2005 telephone conference between Ashton J. Delauney, Esq. of the undersigned's office and Examiner Jeffrey S. Parkin, this Communication is submitted to confirm that applicants need take no immediate action in responding to the August 8, 2005 Office Action issued in connection with the above-identified application.

The undersigned understands that during the September 26, 2005 telephone conference, Mr. Delauney pointed out to the Examiner that the August 8, 2005 Office Action has the same content as the Office Action previously issued on March 17, 2005. Mr. Delauney noted that applicants had responded to the March 17, 2005 Office Action by filing an Amendment on May 13, 2005.

Mr. Delauney also noted that the Examiner had told him during a July 27, 2005 telephone conference that the May 13, 2005 Amendment had not been entered into the Examiner's computer system. Mr. Delauney further noted that the Examiner had therefore requested during the July 27, 2005 telephone conference that applicants forward to him by facsimile a copy of the May 13, 2005 Amendment. Mr. Delauney reminded the Examiner that the

Applicants: Virginia M. Litwin et al.  
Serial No.: 09/891,062  
Filed: June 25, 2001  
Page 2

requested copy of the Amendment had been forwarded to him by facsimile on August 1, 2005, along with a copy of a returned postcard from the Patent and Trademark Office acknowledging that they had received the May 13, 2005 Amendment on May 16, 2005. Mr. Delauney also noted that the Examiner had confirmed to him, during an August 2, 2005 telephone conference, receipt of the August 1, 2005 facsimile.

The undersigned understands that in response to the information brought to the Examiner's attention, the Examiner briefly reviewed an electronic copy of the May 13, 2005 Amendment which had been forwarded to him by facsimile on August 1, 2005, and acknowledged that this Amendment appeared to address the issues raised in the March 17, 2005 Office Action. The Examiner therefore advised that applicants should not respond to the August 8, 2005 Office Action, but should instead await a more detailed review of the May 13, 2005 Amendment by the Examiner and guidance from him whether the pending claims are allowable. In this regard, the Examiner suggested that applicants contact him again around October 6, 2005.

Accordingly, based on the Examiner's statements, no response to the August 8, 2005 Office Action is being prepared by applicants for filing in connection with the subject application. Applicants will contact the Examiner again on October 6, 2005 to ascertain the status of the application. The undersigned requests that the Examiner contact him as soon as possible if there has been any misunderstanding.

For the record, the undersigned also notes that the Interview Summary issued August 8, 2005 by the Patent Office does not accurately summarize the content of the Examiner's July 27, 2005 telephone conference with Mr. Delauney as presented above. Instead, the August 8, 2005 Interview Summary pertains to a

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OCT 03 2005

Applicants: Virginia M. Litwin et al.  
Serial No.: 09/891,062  
Filed: June 25, 2001  
Page 3


February 15, 2005 telephone conference between the Examiner and Mr. Delauney, during which the Examiner was informed that an Office Action dated December 29, 2004, a copy of which had been posted on the Patent Office's public PAIR site, had not been received by applicants in the mail. As correctly documented in the March 21, 2005 Interview Summary, the Examiner indicated during the February 15, 2005 telephone conference that another copy of the Office Action would be mailed to applicants.


The undersigned notes that a copy of the Office Action was indeed mailed to applicants on March 17, 2005, contrary to the Examiner's statement in the August 8, 2005 Interview Summary that this Office Action did not appear to have been mailed.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being transmitted via facsimile on this date to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 John P. White Reg. No. 28,678	10/3/05 Date

  
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